



EXPRESS MAIL NO. EL 897874235US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralf M. Luche and Bo Wei  
Application No. : 09/964,277  
Filed : September 25, 2001  
For : DSP-16 DUAL-SPECIFICITY PHOSPHATASE  
Art Unit : 1645  
Docket No. : 200125.434  
Date : December 10, 2001

Box Missing Parts

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

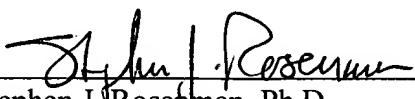
RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated October 31, 2001, please find enclosed the following documents:

- Fee  
 Oath/Declaration  
 Copy of Notice to File Missing Parts

Respectfully submitted,  
Ralf M. Luche and Bo Wei  
Seed Intellectual Property Law Group PLLC

  
Stephen J. Roseman, Ph.D.

Registration No. 43,058

12-12-01

Sector

EXPRESS MAIL NO. EL 897874235US  
PTO/SB/21 (08-00)Please type a plus sign (+) inside this box → 

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

\$

# TRANSMITTAL FORM

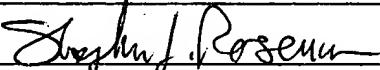
(To be used for all correspondence after initial filing)

Application Number	09/964,277
Filing Date	September 25, 2001
First Named Inventor	Ralf M. Luche
Group Art Unit	1645
Examiner Name	
Attorney Docket No.	200125.434

**ENCLOSURES (check all that apply)**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement; Form PTO-1449<br><input type="checkbox"/> Cited References<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input checked="" type="checkbox"/> Declaration<br><input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____<br><input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li><u>Copy of Notice to File Missing Parts</u></li> <li><u>Copy of Assignment</u></li> <li><u>Initial ADS</u></li> </ul> |
|--|--|---|

**Remarks****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Stephen J. Rosenman, Ph.D.	
Signature		
Date	December 10, 2001	



EXPRESS MAIL NO. EL 897874235US

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

**TOTAL AMOUNT OF PAYMENT (\$)** **2,405**

Complete If Known	
Application Number	<b>09/964,277</b>
Filing Date	<b>September 25, 2001</b>
First Named Inventor	<b>Ralf M. Luche</b>
Examiner Name	
Group Art Unit	<b>1645</b>
Attorney Docket No.	<b>200125.434</b>

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																																																																																	
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <b>19-1090</b></p> <p>Deposit Account Name <b>Seed Intellectual Property Law Group PLLC</b></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit any overpayment to Deposit Account Number above.</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th></th> <th></th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> <td></td> <td>65</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> <td></td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> <td></td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> <td></td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> <td></td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> <td></td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> <td></td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> <td></td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> <td></td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> <td></td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> <td></td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> <td></td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> <td></td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> <td></td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive – unavoidable</td> <td></td> <td></td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive – unintentional</td> <td></td> <td></td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> <td></td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> <td></td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> <td></td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> <td></td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> <td></td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> <td></td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> <td></td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$)</td> <td>65</td> </tr> <tr> <td colspan="8">D:\NrPortbl\Manage\KARENWILL\240893_1.DOC</td> </tr> </tbody> </table>		Large Entity	Small Entity							Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			Fee Paid	105	130	205	65	Surcharge - late filing fee or oath			65	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.				139	130	139	130	Non-English specification				147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination				112	920*	112	920*	Requesting publication of SIR prior to Examiner action				113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action				115	110	215	55	Extension for reply within first month				116	400	216	200	Extension for reply within second month				117	920	217	460	Extension for reply within third month				118	1,440	218	720	Extension for reply within fourth month				128	1,960	228	980	Extension for reply within fifth month				119	320	219	160	Notice of Appeal				120	320	220	160	Filing a brief in support of an appeal				121	280	221	140	Request for oral hearing				138	1,510	138	1,510	Petition to institute a public use proceeding				140	110	240	55	Petition to revive – unavoidable				141	1,280	241	640	Petition to revive – unintentional				142	1,280	242	640	Utility issue fee (or reissue)				143	460	243	230	Design issue fee				144	620	244	310	Plant issue fee				122	130	122	130	Petitions to the Commissioner				123	50	123	50	Petitions related to provisional applications				126	180	126	180	Submission of Information Disclosure Stmt				581	40	581	40	Recording each patent assignment per property (times number of properties)				146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))				149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))				179	740	279	370	Request for Continued Examination (RCE)				169	900	169	900	Request for expedited examination of a design application				Other fee (specify) _____				*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	65	D:\NrPortbl\Manage\KARENWILL\240893_1.DOC							
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<p>**or number previously paid, if greater; For Reissues, see above</p>																																																																																																																																																																																																																																																																			

SUBMITTED BY			
Name (Print/Type)	Stephen J. Rosenman, Ph.D.	Registration No. Attorney/Agent)	<b>43,058</b>
Firm Name/Address			
Signature	Stephen J. Rosenman	Date	December 10, 2001



**00500**

PATENT TRADEMARK OFFICE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/964,277	09/25/2001	Ralf M. Luche	200125.434

## CONFIRMATION NO. 9940

00500  
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

## FORMALITIES LETTER



\*OC000000007000644\*

Date Mailed: 10/31/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$1885.
  - \$990 for 110 total claims over 20.
  - \$760 for 19 independent claims over 3 .
  - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2305.**

Repln. Ref: 12/26/2001 NPPRASAS0 0010095300  
DAB:191090 Name/Number:09964277  
FC: 704 \$42.00 CR

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370.00	990.00	0.00	0.00	0.00
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140.00	0.00	0.00	0.00	0.00
65.00	0.00	0.00	0.00	0.00

Adj. filing date: 12/26/2001 NPPRASAS0 0010095300  
12/17/2001 REBUTTAL 00000035 09964277  
03 FC:1202

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/26/2001 NPPRASAS0 00000008 09964277

01 FC:202

798.00 OP